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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,559	02/23/2004	William A. Pugh	BEAS-01411US1	8662
23910	7590	08/27/2007	EXAMINER	
FLIESLER MEYER LLP			VO, TED T	
650 CALIFORNIA STREET				
14TH FLOOR				
SAN FRANCISCO, CA 94108				
			ART UNIT	PAPER NUMBER
			2191	
			MAIL DATE	DELIVERY MODE
			08/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Office Action Summary</p>	Application No. 10/784,559	Applicant(s) PUGH ET AL.	
	Examiner Ted T. Vo	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/11/07, 6/11/07</u> | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____ |
|---|--|

DETAILED ACTION

1. This action is in response to the amendment filed on 06/11/2007.

Claims 11-21 are new and pending in the application.

Drawings

2. New added drawing is objected to. The new drawing, Figure 1, is not approved because it is not part of the originally filed specification. It should be noted that the requirement for corrected drawings will not be held in abeyance.

Specification

3. The Specification is objected to. The amendment on 6/11/07 to the specification by adding a new Drawing is considered as adding new subject matter to the specification. The adding of the new drawing after the filing date will be considered as adding new subject matter in the specification. It requires canceling the adding of new subject matters so that the original specification is retained.

Since there are no drawings filed originally, the text under the section heading "Brief Description of The Several Views of The Drawings should be "Not Applicable". Deletion of the paragraph [005A] is required.

Response to Arguments

4. The arguments to the new amended claims 11-21 have been considered but not persuasive. Particularly, the argument in the remarks alleged the prior art does not teach the new claim 11. See Office rationale addressed within the action.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 13, 15 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13's and 19's recitation uses trade names/trade products JAVA™ Debugging Interface (JDI) JAVA™ Platform Debugging Architecture Debugging Interface (JDI) from Sun Microsystems. It is improper to modify or claim a product that is registered as the limitation. The scope of the claims is confusion because it does not know the trade product of Sun would be infringed by the claims, or the specification actually invented these products.

Claim 15, see punctuation.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 11-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bogle et al., US PAT. No. 6,353,923 B1.

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As per claim 11: Bogle discloses **A system for debugging in more than one programming language, comprising:**

a multi-language debugger with the capability to debug a source code file with multiple, nested, compiled and interpreted languages (See the system of FIG. 4, and the statement in col. 4:10-19, debugging a multiple language application", multiple compiled..., etc.);

a script engine interface, wherein a script engine communicates with the debugger through the script engine interface; (See FIG. 3: #301, #304. See FIG. 4, showing "interface" with each language engine "frame");

a debuggable frame object (See FIG. 4: #422, #423), **wherein the script engine uses a debuggable frame object to retrieve script context for a supported language** (FIG. 4 and associated texts);

an interface to a messaging environment, wherein the interface is implemented by a runtime messaging environment that controls a running state of the script engine (See Figures, particularly FIG. 3);

a debug commands interface (See FIG. 3: e.g. "LOAD", "RUN"); **and**

a script debug controller (See Term Definition, col. 7).

As per claim 12: Bogle discloses **The system of claim 11, wherein the multi-language debugger is extensible and a user can add language definitions to support additional languages.** (See the system of FIG. 4, and the statement in col. 4:10-19, debugging a multiple language application", multiple compiled..., etc. This debugging environment is extensible).

As per claim 13: Bogle discloses **The system of claim 11, wherein the debugger uses JAVA™**

Debugging Interface (JDI) (Improper claiming for using other product that does not come from "invention". Using SUN product JDI, the claims admitted SUN invented this claimed feature – In the mean time; see the interface environment in this reference).

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As per claim 14: Bogle discloses ***The system of claim 11, wherein if more than one language appears on a stack, a user can see a debuggable frame for each language and the user can inspect variables for each language*** (See term definition, col. 7, Expression context).

As per claim 15: Bogle discloses ***Tile system of claim 11 further comprising: a proxy, wherein tile proxy is used between the executing code being debugged and the debugger*** (See descriptions start at col. 38 and through, includes the marshalling proxy).

As per claim 16: Bogle discloses ***The system of claim 15, wherein the script engine interface can be used by the debugger to communicate metadata to the proxy*** (See descriptions start at col. 38 and through).

As per claim 17: Bogle discloses ***The system of claim 11, wherein the debugger interacts with the runtime messaging environment*** (See FIG. 3, FIG. 5, #512).

As per claim 18: Bogle discloses ***The system of claim 17, wherein debugging is performed on a server side of the runtime messaging environment*** (This reference can do this claim, see entire reference).

As per claim 19: Bogle discloses ***The system of claim 18, wherein the runtime messaging environment interprets language interactions and performs debugging in JAVA™ Platform Debugging Architecture (JPDA)*** (Improper claiming for using other product that does not come from "invention". Using SUN product, JPDA, the claims admitted SUN invented this claimed feature – In the mean time; see the runtime environment in this reference).

As per claim 20: Bogle discloses ***The system of claim 11, wherein the script engine has a static constructor load the script debug controller*** (Refer to debugging time, compiling time; for example see "LOAD", then "RUN").

As per claim 21: Bogle discloses ***The system of claim 20, wherein the script debug controller receives information from the script engine, comprising:***

- a) language extensions for each language;***
- b) classes that implement the script engine;***

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- c) information on optional capabilities for each language; and*
d) language name.

(This reference can do this claim, see entire reference).

Conclusion

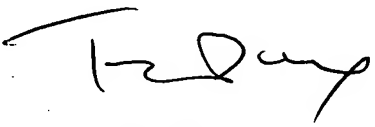
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTV
August 17, 2007


TED VO
PRIMARY EXAMINER